



PATENT
Atty Docket No.: 10014769-2

In The U.S. Patent and Trademark Office

In Re the Application of:

Inventor(s): Abdlmonem H. Beitelmal et al. **Confirmation No.:** 8245
Serial No.: 10/696,999 **Examiner:** Anatoly Vortman
Filed: October 31, 2003 **Group Art Unit:** 2835
Title: METHOD AND APPARATUS FOR INDIVIDUALLY COOLING
COMPONENTS OF ELECTRONIC SYSTEMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

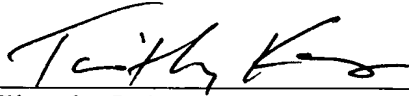
CERTIFICATE OF HAND-DELIVERY WITH THE USPTO

I hereby certify that this correspondence is being deposited with the United States
Patent and Trademark Office. This correspondence contains the following document(s):

- 1 sheet of Transmittal Letter for Response/Amendment (2 copies).
- 3 sheets of Response to Restriction Requirement.

Respectfully submitted,

MANNAVA & KANG, P.C.


Timothy B. Kang
Reg. No.: 46,423

On March 18, 2004

MANNAVA & KANG, P.C.
2930 Langdon Gate Drive
Fairfax, VA 22031
703-560-8503
703-991-1162 (facsimile)

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail Stop Non-Fee Amendment")
() Other: (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	16	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit:

Typed Name:

Signature: _____

Respectfully submitted,

AbdImonem H. Beitelmal et al.

By

Timothy B. Kang

Attorney/Agent for Applicant(s)

Reg. No. 46,423

Date: March 18, 2004

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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Official Action dated February 19, 2004, the following remarks are submitted.

The aforementioned Official Action asserts that the present application contains claims that are directed to two patentably distinct groups. As identified in that Official Action, these two groups are: Group I, Claims 10-25, directed to a method of cooling a plurality of heat generating components, and Group II, Claims 26-32, directed to a computer readable storage medium on which is embedded one or more computer programs implementing a method for cooling a plurality of heat generating components.

A restriction requirement has been imposed requiring an election of one of the two groups on the alleged basis that the above-identified inventions are related as process and apparatus for its practice. In addition, the Official Action alleges that the search required for one of the groups is not required for the other group.

In response to that restriction requirement, Applicants hereby elect, with traverse, Group I, directed to Claims 10-25.

The election is made with traverse, because it is believed that all of the embodiments of this application can be examined at the same time without serious burden. The search required for the non-elected group would likely be co-extensive with that required for the elected group, because all the groups include embodiments involving a method of cooling a plurality of heat generating components of an electronic system having an enclosure and a plenum located within the enclosure. In fact, for instance, all of the elements cited in Claim

10 are recited in Claim 26. It is thus submitted that no serious burden would result if all of the embodiments of this application were examined concurrently. In addition, as set forth in MPEP 803, “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” It is clearly the case here that examination of all the claims would not be a serious burden on the Examiner. Accordingly, withdrawal of the restriction requirement and examination of all of the embodiments of this application, are respectfully requested.

In addition, it is respectfully submitted that the basis for the restriction requirement in the instant application is improper. The Official Action argues that the “computer readable storage medium can be used to perform any another and materially different process, since any sets of instruction for any desirable process may be stored on said medium.” Moreover, the Official Action further asserts that “sets of instructions for the process as claimed can be derived from any number of source (i.e., not from the computer readable storage medium)”, and states that by way of example, “sets of instructions can be inputted manually from the computer keyboard.” While it is true that computer readable storage mediums are generally capable of performing other processes, the claims in the present application are directed to a computer readable medium configured to perform a specific process as set forth in Claims 26-32. More particularly, Claim 26 pertains to a computer readable storage medium having a set of instructions for performing the method set forth in Claim 10.

This is the first time the undersigned has ever received a Restriction Requirement based upon an alleged distinction between method claims and computer readable medium claims comprising a set of instructions for performing the steps of the method claims. These types of claims are almost always examined together as they pose substantially no additional burden on the Examiner. For at least these reasons, the Examiner is respectfully requested to withdraw the Restriction Requirement and to examine all of the claims pending in the present application.

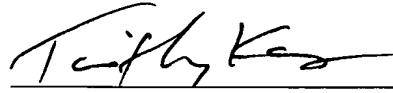
Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the above-identified application, please contact the

undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Abdlmonem H. Beitelmal et al.

Dated: March 18, 2004



Timothy B. Kang
Reg. No. 46,423

Mannava & Kang, P.C.
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